

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the
Commission's Own Motion into Competition for
Local Exchange Service.

Rulemaking 95-04-043
(Filed April 26, 1995)

Order Instituting Investigation on the
Commission's Own Motion into Competition for
Local Exchange Service.

Investigation 95-04-044
(Filed April 26, 1995)

**ADMINISTRATIVE LAW JUDGE'S RULING
SETTING BRIEFING SCHEDULE
ON DISPUTED CONTRACT ISSUES**

This ruling sets a briefing schedule to address the issues raised in the Motion for Dispute Resolution filed by Pac-West Telecomm, Inc. (Pac-West), filed September 21, 2004. In its motion, Pac-West seeks expedited resolution of three related interconnection disputes which have arisen in Pac-West's Interconnection Agreement with Verizon California, Inc. (Verizon). Verizon filed a response to the motion on October 6, 2004.

Verizon disagrees with Pac-West in terms of its position on the three disputed issues, but supports Pac-West's procedural request that an Administrative Law Judge be appointed with dispatch to resolve the matter expeditiously. Both parties agree that mediation would be an unproductive use of Commission resources. It appears that the disputes essentially involve interpretation of the interconnection agreement and applicable governing law. Accordingly, no evidentiary hearings are necessary, but a schedule will be set for

parties to present their arguments on the three related interconnection disputes, as set forth below.

IT IS RULED that:

1. Pac-West Telecomm, Inc (Pac-West) and Verizon California, Inc. are authorized to file opening and reply briefs on the three disputed issues raised in Pac-West's motion.

2. Opening briefs shall be due on December 29, 2004, and reply briefs shall be due on January 12, 2004. Briefs may be served by e-mail rather than by hard copy.

Dated December 13, 2004, at San Francisco, California.

/s/ THOMAS R. PULSIFER

Thomas R. Pulsifer
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling Setting Briefing Schedule on Disputed Contract Issues on all parties of record in this proceeding or their attorneys of record.

Dated December 13, 2004, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.